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Defendant.

ORDER

A court has discretion to grant relief from an Order dismissing a case. Fed. R. Civ. P. 60(b)(6). Motions for such relief “must be brought within a ‘reasonable time’ and in any event not longer than one year after the judgment was entered.” *Ashford v. Stewart*, 657 F.2d 1053, 1055 (9th Cir. 1981). Reasonable time “depends on the facts of each case,” but courts consider “the interest

¹ Refers to the Court's docket number.


1 in finality, the reason for delay, the practical ability of the litigant to learn earlier of the grounds
2 relied upon, and prejudice to other parties.” *Id.*

3 Lopez’s Motion was filed more than two years after the Court’s order dismissing his case.
4 The case was dismissed without prejudice, and Lopez was therefore entitled to renew his
5 Complaint within a reasonable time of the Order. The Court denies Lopez’s Motion, however,
6 because two years cannot be considered a “reasonable time,” and Lopez has not presented a
7 compelling reason to excuse the substantial delay.

8 IT IS THEREFORE ORDERED that Lopez’s Motion to Reopen (Doc. #10) is DENIED.

9 IT IS SO ORDERED.

10 DATED this 13th day of January, 2015.

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12 LARRY R. HICKS
13 UNITED STATES DISTRICT JUDGE
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